Appl. No. 09/272,075
Amdt. Dated March 30, 2004
Reply to Office Action of December 31, 2003

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-11 remain in the application.

In item 3 on page 2 of the above-identified Office Action, claims 1-8 have been rejected as being unpatentable over Huang (US 6,052,456) in view of Echensperger et al. (US 6,199,160) (hereinafter "Echensperger") under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their previously presented form and, therefore, the claims have not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, inter alia:

a telecommunications apparatus having a virtual terminal with properties of a terminal with administration authorization; and

a remote computer connected to said virtual terminal of said

telecommunications apparatus exchanging **only administrative

changes** to the telecommunication system, **for remote

administration** of said telecommunications apparatus. (emphasis

added)

The present claimed invention is directed to using a virtual

terminal to connect a remote computer to the

telecommunications apparatus for remote administration of the

telecommunications apparatus. Neither a virtual terminal nor

administration of a telecommunications apparatus is disclosed

or suggested by Huang or Echensperger, as discussed

hereinbelow. Consequently, the claimed invention, namely,

administration of a telecommunications apparatus using a

virtual terminal, is therefore believed to be unobvious over

Huang in view of Echensperger.

Huang discloses a graphical shelf navigator for a

telecommunication switch management system having a

telecommunication system, which is controlled by a computer.

The computer is connected with the telecommunication system by

a communications link (column 8, lines 39-41) and messages are

exchanged by this computer interface with the aid of

communication protocols known from the Internet, for example,

http. An authorization concept (column 10, lines 41-53; Fig.

Page 3 of 8

3b, 106) ensures that, by this general interface, only

authorized users can administer the telecommunication system.

On the contrary, in the telecommunication system according to

the present invention, only a terminal is authorized for

administration, which is connected by an interface

specifically authorized for administration. To be able

tooperate such an interface authorized for administration from

remotely arranged communication terminals (telephones or

computers which simulate a telephone) which are not directly

connected to a terminal of the telecommunication system

authorized for administration, such an authorized virtual

communication terminal is, according to the present invention,

connected to a virtual communication port, so that this

virtual communication terminal device can be remotely operated

via a computer. Huang, however, teaches away from the present

invention, because the authorization for administration is not

dependent upon a specific port/terminal, but rather it is

dependent upon user-related authorization which is ensured

with the aid of an "access mechanism." In the prior art as

typified by Huang, the configuration data of the

telecommunication system are directly accessed by the

computer, whereas, according to the present claimed invention,

a virtual terminal (e.g., telephone) assigned to the

telecommunication system is interconnected.

Echensperger does not disclose, or suggest a **telecommunication**

system. Nor does Echensperger disclose or suggest remote

administration. Thus, Echensperger does not disclose a

telecommunication system with a remote administration function

as recited in the claims of the instant application.

Echensperger discloses a computer system and method for

performing multiple tasks. Echensperger discloses (refer to

the abstract): "The computer system comprises a host (2), a

communication subsystem (3), a plurality of application

programs (1, 2), virtual terminal manager (5), virtual

terminals (9, 4), an application programming interface (6),

and a cross application program (7) as well as a real terminal

T."

Echensperger's only reference to "telecommunication" is in

col. 5, line 64, through col. 6, line 7, which states:

> The data is … stored as a screen image which is always a
> true copy of a real screen buffer, including the
> extended attribute buffer. In this example, each session
> is under the control of the IBM virtual
> telecommunications access method VTAM preferably
> featuring IBM's advanced communication functions. The
> virtual telecommunications access method (VTAM) is a set
> of IBM programs that control communication between
> terminals and application programs and which cooperates
> with SNA. The virtual terminal manager makes usage of
> VTAM for the establishment of the logical connections.

Appl. No. 09/272,075
Amdt. Dated March 30, 2004
Reply to Office Action of December 31, 2003

Merely because each session is under the control of the IBM
virtual telecommunications access method VTAM does not make
the host computer 2 a telecommunication apparatus in a
telecommunication system as recited in the instant claims.

Nor does Echensperger mention the term "administration" and
discloses user authorization, not "a virtual terminal with
properties of...administration authorization" as recited in
the instant claims.

Applicants submit that Huang and Echensperger are not properly
combinable.

However, even if a person skilled in the art to which the
present invention relates were to combine Huang's
telecommunication system with Echensperger's computer system,
he would not arrive at the subject matter according to the
claimed invention, because the virtual terminal of
Echensperger is a computer terminal and not a terminal for a
telecommunication apparatus. Furthermore, the virtual
terminal in Echensperger is also a computer. Echensperger
does not teach or suggest telecommunication terminals nor the
application of virtual terminals/computers for the purpose of
administration as recited in the instant claims.

Appl. No. 09/272,075
Amdt. Dated March 30, 2004
Reply to Office Action of December 31, 2003

Accordingly it is believed that neither Huang or Echensperger disclose "a telecommunications apparatus having a virtual terminal with properties of a terminal with administration authorization; and a remote computer connected to said virtual terminal of said telecommunications apparatus exchanging only administrative changes to the telecommunication system, for remote administration of said telecommunications apparatus as recited in claim 1 of the instant application" recited in claim 1 of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

Finally, applicants appreciatively acknowledge the Examiner's statement that claims 9-11 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicants respectfully believe that rewriting of claims 9-11 is unnecessary at this time.

Appl. No. 09/272,075
Amdt. Dated March 30, 2004
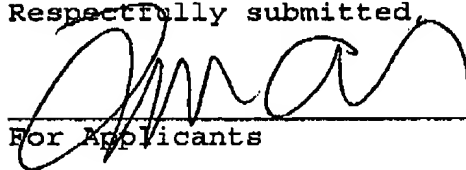Reply to Office Action of December 31, 2003

In view of the foregoing, reconsideration and allowance of

claims 1-11 are solicited.

In the event the Examiner should still find any of the claims

to be unpatentable, counsel would appreciate receiving a

telephone call so that, if possible, patentable language can

be worked out.

If an extension of time for this paper is required, petition

for extension is herewith made.

Please charge any other fees that might be due with respect to

Sections 1.16 and 1.17 to the Deposit Account of Lerner and

Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicants

FDP/bb

March 30, 2004

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Page 8 of 8